

## UNITED STATES DISTRICT COURT

for the  
Western District of Washington

In the Matter of the Search of  
(Briefly describe the property to be searched  
or identify the person by name and address)  
the SUBJECT PARCEL bearing tracking number  
EJ680603661US, more fully described in Attachment A

Case No. MJ21-429

## APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):  
USPS parcel bearing tracking number EJ680603661US, more fully described in Attachment A, incorporated herein by reference,

located in the Western District of Washington, there is now concealed (identify the person or describe the property to be seized):

See Attachment B, incorporated herein by reference.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;  
☒ contraband, fruits of crime, or other items illegally possessed;  
☒ property designed for use, intended for use, or used in committing a crime;  
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

## Code Section

21 U.S.C. § 841(a)(1)

21 U.S.C. § 843(b)

## Offense Description

Distribution and Possession with Intent to Distribute Controlled Substances

Unlawful Use of Communication Facility to Facilitate Trafficking of Controlled Substance

The application is based on these facts:

- ☒ See Affidavit of Postal Inspector Mitchel Vanicek, continued on the attached sheet.

☐ Delayed notice of \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Pursuant to Fed. R. Crim. P. 4.1, this warrant is presented: ☒ by reliable electronic means; or: ☐ telephonically recorded.

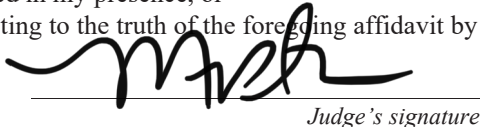
  
Applicant's signature

Mitchel Vanicek, Postal Inspector

Printed name and title

- ☐ The foregoing affidavit was sworn to before me and signed in my presence, or  
☒ The above-named agent provided a sworn statement attesting to the truth of the foregoing affidavit by telephone.

Date: 07/23/2021

  
Judge's signature

City and state: Seattle, Washington

Michelle L. Peterson, United States Magistrate Judge

Printed name and title

1 **STATE OF WASHINGTON** )  
 2 )  
 3 **COUNTY OF KING** )

4 **AFFIDAVIT**

5 I, Mitchel Vanicek, being first duly sworn on oath, depose and say:

6 **BACKGROUND**

7 1. I am a United States Postal Inspector with the United States Postal  
 8 Inspection Service, assigned to the Seattle Division Headquarters office in Seattle,  
 9 Washington, and have been employed as a Postal Inspector for fifteen years. I am  
 10 authorized to conduct investigations on behalf of the United States Postal Inspection  
 11 Service. I have previously conducted investigations involving federal violations of Title  
 12 18, United States Code, Sections 1956(a)(1) (laundering of monetary instruments), 1343  
 13 (wire fraud), 1344 (bank fraud), and other federal crimes. I have previous experience  
 14 regarding the collection and analysis of computer evidence in relation to criminal  
 15 investigations. I have received extensive training in financial crimes investigations  
 16 including: Financial Records Examination and Analysis, Interview and Interrogation  
 17 Techniques, Bank Secrecy Act Data and Funds Transfers, Money Laundering, Fraud and  
 18 Identity Theft, the Dark Web, and other Financial Crimes-related trainings, seminars,  
 19 conferences, and events.

20 2. **Duties, Training & Experience.** As part of my duties, I investigate the  
 21 use of the U.S. mails to illegally mail and receive controlled substances, the proceeds of  
 22 drug trafficking, as well as other instrumentalities associated with drug trafficking, in  
 23 violation of Title 21, United States Code, Sections 841(a)(1) (distribution and possession  
 24 with intent to distribute controlled substances), and 843(b) (unlawful use of a  
 25 communication facility, including the U.S. mails, to facilitate the distribution of  
 26 controlled substances and proceeds from the sale thereof). As set forth below, my  
 27 training and experience includes identifying parcels with characteristics indicative of  
 28 criminal activity. During the course of my employment with Postal Inspection Service, I

1 have participated in many criminal investigations involving suspicious parcels and  
2 controlled substances.

3 3. The information contained in this affidavit is based upon knowledge I  
4 gained from my investigation, my personal observations, my training and experience, and  
5 investigation by other law enforcement officers. Because the purpose of this affidavit is  
6 limited to setting forth probable cause to search the SUBJECT PARCEL described  
7 below, I have not set forth every fact of which I am aware pertaining to the investigation.

8 4. Through my training and experience, I am aware the United States Postal  
9 Service (USPS) mail system is often used to transport controlled substances and/or the  
10 proceeds from the sale of controlled substances throughout the United States. I have  
11 learned and observed that sometimes drug traffickers put controlled substances and  
12 proceeds in the same parcel. I also know drug traffickers prefer mail/delivery services  
13 such as Express and Priority Mail because of the reliability of these services, as well as  
14 the ability to track the article's progress to the intended delivery point. When a drug  
15 trafficker learns a mailed article has not arrived as scheduled, he/she can become  
16 suspicious of any delayed attempt to deliver the item.

17 5. In addition, I am aware the USPS Express and Priority Mail services were  
18 custom-designed to fit the needs of businesses by providing overnight delivery for time  
19 sensitive materials. Business mailings often contain typewritten labels, are in flat  
20 cardboard mailers, and usually weigh less than eight (8) ounces. In addition, businesses  
21 using corporate charge accounts print their account number on the Express and Priority  
22 Mail label in order to expedite transactions with USPS.

23 6. Based on my training and experience concerning the use of Express and  
24 Priority Mail for the transportation of controlled substances and/or proceeds, I am aware  
25 that these parcels usually contain some or all of the following characteristics (which are  
26 different than characteristics of parcels being sent by legitimate businesses):

- 27 a. Unlike typical Express and Priority Mail business mailings which  
28 usually have typed labels, parcels containing controlled substances  
and/or proceeds often have handwritten address information. In

1 addition, the address information often contains misspelled words or  
2 incomplete/incorrect addresses. This is done in an effort to help  
3 conceal the true identities of the individuals involved.

4 b. The handwritten label on Express and Priority Mail parcels  
5 containing controlled substances and/or proceeds do not contain a  
6 business account number and/or credit card number. This often  
7 indicates that the sender likely paid cash. A credit card or business  
8 account number would more likely enable law enforcement officers  
9 to connect the parcel to identifiable individuals.

10 c. Express and Priority Mail parcels containing controlled substances  
11 and/or proceeds are often distinguishable from typical business  
12 mailings as they do not bear any advertising on the mailing  
13 container/box, and are typically mailed from one individual to  
14 another.

15 d. The sender and/or recipient addresses on Express and Priority Mail  
16 parcels containing controlled substances and/or proceeds are often  
17 either fictitious, or are persons not associated with the addresses  
18 listed in USPS or law enforcement databases.

19 e. The zip codes for the sender addresses on Express and Priority Mail  
20 parcels containing controlled substances and/or proceeds are often  
21 different from the zip codes of the post offices from where the  
22 parcels were mailed.

23 f. Express and Priority Mail parcels containing controlled substances  
24 and/or proceeds are often heavily taped with tape on the seams of the  
25 parcel, in an apparent effort to conceal scent.

26 g. Express and Priority Mail parcels containing controlled substances  
27 and/or proceeds often include a waiver of signature requirement  
28 upon delivery.

7. Agents who encounter a parcel with any or all of the above characteristics  
often further scrutinize the parcel by, among other tactics, conducting address

1 verifications using law enforcement databases and conducting trained narcotic-detecting  
2 canine examinations.

### 3 **ITEM TO BE SEARCHED**

4 8. As set forth in Attachment A, this affidavit is made in support of an  
5 application for a search warrant for one USPS Priority Mail Express parcel, hereinafter  
6 referred to as the "SUBJECT PARCEL." The SUBJECT PARCEL is believed to contain  
7 controlled substances or proceeds from the sale of controlled substances. The SUBJECT  
8 PARCEL is further described as follows: One Priority Mail Express parcel addressed to  
9 "Tyrin James, 2430 96<sup>th</sup> ST S APT G20, Tacoma, WA 98444," with a return address of  
10 "Nevaeh Rod, 5302 Indio Cir #B, ATX 78745." This parcel is a Priority Mail Express  
11 parcel measuring approximately 17.5" x 14" x 10.5". The parcel weighs approximately 5  
12 pounds and 3 ounces. This parcel is postmarked July 14, 2021, from Austin, Texas, and  
13 carries \$79.55 in postage. The tracking number associated with the parcel is  
14 EJ680603661US.

### 15 **ITEMS TO BE SEIZED**

16 9. As set forth in Attachment B, the application requests that law enforcement  
17 officers and agents be authorized to seize the following from the SUBJECT PARCEL,  
18 which constitute the fruits, instrumentalities, and evidence of mailing and distribution of  
19 controlled substances in violation of Title 21, United States Code, Sections 841(a)(1)  
20 (distribution and possession with intent to distribute controlled substances) and 843(b)  
21 (unlawful use of a communication facility, including the U.S. mails, to facilitate the  
22 distribution of controlled substances):

- 23 a. Controlled substances, including, but not limited to, cocaine, crack  
24 cocaine, heroin, hashish, marijuana, methamphetamine, MDMA,  
25 methadone, fentanyl, oxycodone, and Oxycontin;
- 26 b. Monetary instruments, including but not limited to, currency, money  
27 orders, bank checks, or gift cards;
- 28 c. Controlled substance-related paraphernalia;

- d. Documentary evidence relating to the purchase, sale, and/or distribution of controlled substances;
- e. Notes, letters and other items which communicate information identifying the sender and/or recipient or pertaining to the contents of the mailing; and
- f. Fingerprints and/or handwriting, to identify who handled and/or mailed the parcel.

### THE INVESTIGATION

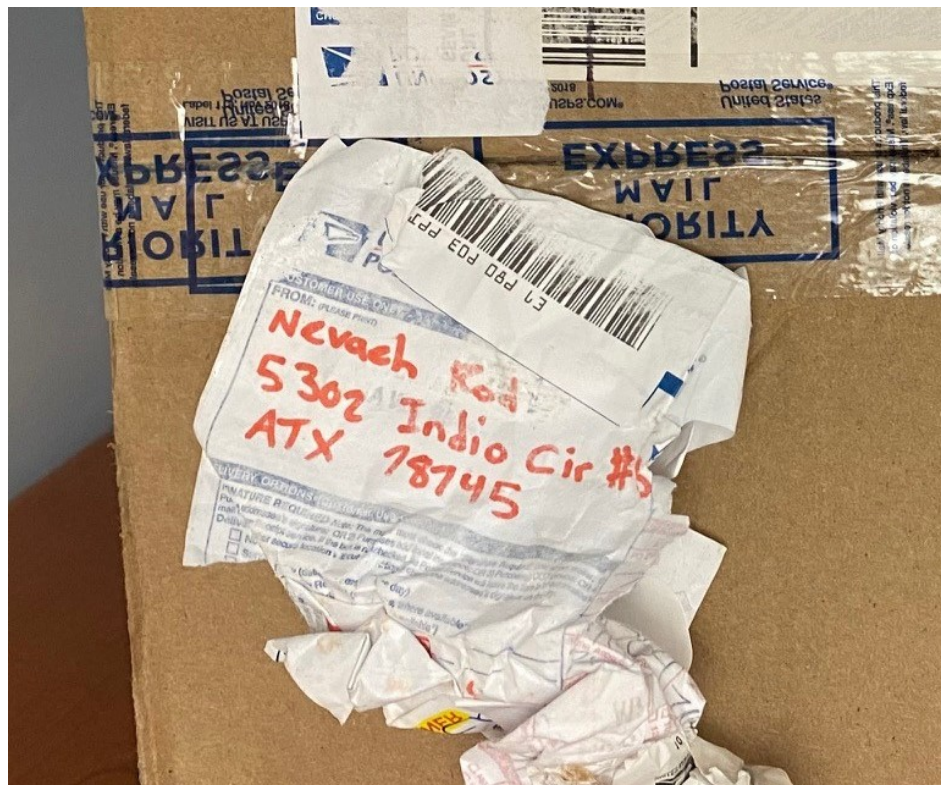
10. On July 15, 2021, the U.S. Postal Inspection Service was conducting an interdiction, investigating parcel information in many parts of Washington State, including Tacoma, WA. The emphasis for the interdiction was targeting inbound Express and/or Priority Mail parcels and envelopes possibly containing narcotics and/or monetary proceeds derived from illegal drug trafficking activity.

11. The SUBJECT PARCEL was initially identified as a suspicious parcel because it is marked with a handwritten label, which does not contain any business account information. In addition, the SUBJECT PARCEL was shipped from Austin, Texas. I know through my training and experience that Texas is a destination state for marijuana parcels shipped from the source state of Washington and an origin state for marijuana proceeds shipped to Washington. Postage for the SUBJECT PARCEL was paid in cash. I know through my training and experience that these are tactics commonly used by drug traffickers using the U.S. mails in an attempt to elude detection by law enforcement. Additionally, I recognized the recipient address from two additional parcels I identified as suspicious earlier in the week going to Tyrin James, 2430 96th ST S APT G20, Tacoma, WA 98444. I requested the two previous parcels be sent to my office in Seattle, WA. They arrived on July 15, 2021. I applied for and received a federal search warrant for both parcels on July 19, 2021, under case numbers MJ21-418 and MJ21-419. I served those warrants the same day and found \$13,250 in one parcel and \$4,485 in the other. The currency in both parcels was concealed in a manner

1 consistent with drug trafficking. The parcel with \$13,250 had a strong smell of  
2 marijuana. The other did not.

3 12. On July 15, 2021, I telephoned a supervisor at the Tacoma Parkland Station  
4 Post Office and requested that he overwrap the SUBJECT PARCEL and mail it to my  
5 office in Seattle, WA. On July 20, 2021, the SUBJECT PARCEL arrived at my office.  
6 The supervisor who mailed the parcel to me had placed a new mailing label directly over  
7 the old label, and a new postal validation imprinter (PVI) label over the existing one. He  
8 also wrote "Official" in red ink on the outside of the parcel. I was successful in removing  
9 the new PVI label to reveal to old PVI label. I was unable to remove the new shipping  
10 label and leave the old label intact. From what was left of the label I was able to read  
11 "Nevaeh..... 5302..... ATX" normally as the return address. I was able to see the  
12 reverse of the rest of the return address. Using a camera I was able to take a picture of  
13 the reverse and invert it to read "Nevaeh Rod, 5302 Indio Cir #B, ATX 78745." I was  
14 able to remove the new label in matter which revealed the recipient address of "Tyrin  
15 James, 2430 96<sup>th</sup> ST S, APT G20 Tacoma, WA 98444." Please note the "T" in Tyrin and  
16 the "2" in 2430 are partly obscured from my removing the new label. However, I can see  
17 both the "T" and the "2" in what bled through onto the parcel. I was also able to clearly  
18 find the tracking number of EJ680603661US. To avoid the possibility of confusing this  
19 parcel for another, I placed my initials and date on the parcel to the right of the red word  
20 official written by the supervisor and below the PVI label. The following photographs  
21 more clearly show the label condition.  
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AFFIDAVIT OF MITCHEL VANICEK - 7  
2021R00793 [ROD to JAMES]

UNITED STATES ATTORNEY  
700 STEWART STREET, SUITE 5220  
SEATTLE, WASHINGTON 98101  
(206) 553-7970





13. THE SUBJECT PARCEL arrived at the USPS sorting facility in Tukwila, WA on July 15, 2021.

14. Using USPS and law enforcement databases, I researched the sender address. I learned that the address “5302 Indio Cir #B, Austin, TX 78745” is a true and deliverable address but I was unable to associate Nevaeh Rod with the address. I was further unable to associate anyone with the last name “Rod” or any similar names to Nevaeh to the address. However, I was able to associate Javier Rodriguez to the address. Mr. Rodriguez has two prior convictions for possession of controlled substances.

15. Using USPS and law enforcement databases, I researched the recipient address. I learned that the address “2430 96<sup>th</sup> ST S APT G20, Tacoma, WA 98444” is a true and deliverable address. I was able to associate Tyrin James with the address

16. On July 21, 2021, I requested the assistance of Customs and Border Protection Officer Kristina Johnson and her trained narcotics detection dog “Remi.” On July 21, 2021, I met Officer Johnson at the United States Post Office located at 10700 27th AVE S, Tukwila, WA 98168. At approximately 10:00 AM, Officer Johnson and Remi searched a large warehouse room at the aforementioned Post Office. Officer Johnson told me the dog did not alert to any odors of narcotics. At approximately 10:07 AM, I placed the SUBJECT PARCEL in the same warehouse room out of the view of

1 Remi and Officer Johnson. At approximately 10:08 AM, Officer Johnson again searched  
2 the warehouse room with her narcotics detection dog Remi. At approximately 10:10  
3 AM, Officer Johnson observed an immediate change in Remi's posture and behavior  
4 when Remi performed a "sit," which alerted to the odor of narcotics emanating from  
5 where I had hidden the SUBJECT PARCEL. Attachment C, attached hereto and  
6 incorporated by reference herein, contains an affidavit detailing Officer Johnson's  
7 training and experience with canine Remi.

8 17. The SUBJECT PARCEL was referred to me for further investigation and  
9 search warrant preparation and is currently stored at the U.S. Postal Inspection Service  
10 office located at 301 Union Street, Seattle, WA 98101.

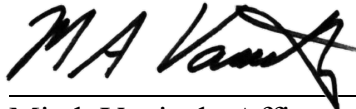
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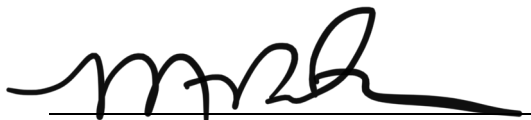
**CONCLUSION**

18. Based on the facts set forth in this affidavit, including Attachment C, I believe there is probable cause to conclude that the SUBJECT PARCEL, more fully described in Attachment A, contains controlled substances, currency, documents, or other evidence, more fully identified in Attachment B, that relates to the mailing and distribution of controlled substances, in violation of Title 21, United States Code, Sections 841(a)(1) (distribution and possession with intent to distribute controlled substances) and 843(b) (unlawful use of a communication facility, including the U.S. mails, to facilitate the distribution of controlled substances).



Mitch Vanicek, Affiant  
U.S. Postal Inspector  
United States Postal Inspection Service

The above-named agent provided a sworn statement attesting to the truth of the contents of the foregoing affidavit by telephone on this 23rd day of July, 2021.



HON. MICHELLE L. PETERSON  
United States Magistrate Judge

**ATTACHMENT A**  
**Parcel to be searched**

One Priority Mail Express parcel addressed to “Tyrin James, 2430 96th ST S APT G20, Tacoma, WA 98444,” with a return address of “Nevaeh Rod, 5302 Indio Cir #B, ATX 78745.” This parcel is a Priority Mail Express parcel measuring approximately 17.5” x 14” x 10.5”. The parcel weighs approximately 5 pounds and 3 ounces. This parcel is postmarked July 14, 2021, Austin, Texas and carries \$79.55 in postage. The tracking number associated with the parcel is EJ680603661US. This parcel is currently stored at the U.S. Postal Inspection Service office located at 301 Union Street, Seattle, WA 98101.



ATTACHMENT A  
PARCEL TO BE SEARCHED  
2021R00793 [ROD to JAMES]

UNITED STATES ATTORNEY  
700 STEWART STREET, SUITE 5220  
SEATTLE, WASHINGTON 98101  
(206) 553-7970

**ATTACHMENT B**

**Items to be seized**

The following items that constitute evidence, instrumentalities, or fruits of violations of Title 21, United States Code, Sections 841(a)(1) and 843(b):

- a. Controlled substances, including, but not limited to, cocaine, crack cocaine, heroin, hashish, marijuana, methamphetamine, MDMA, methadone, fentanyl, oxycodone, and Oxycontin;
- b. Monetary instruments, including but not limited to, currency, money orders, bank checks, or gift cards;
- c. Controlled substance-related paraphernalia;
- d. Documentary evidence relating to the purchase, sale, and/or distribution of controlled substances;
- e. Notes, letters and other items which communicate information identifying the sender and/or recipient or pertaining to the contents of the mailing; and
- f. Fingerprints and/or handwriting, to identify who handled and/or mailed the parcel.





**U.S. Customs and Border Protection  
Department of Homeland Security**

**Canine Enforcement Office**  
19339 28<sup>th</sup> Ave. S. Bldg. D  
Sea-Tac, WA 98188

## **AFFIDAVIT**

I, Kristina M. Johnson, am a Canine Officer with U.S. Customs and Border Protection, assigned to the Seattle-Tacoma area. My assigned canine, "REMI" (170178) was initially certified with me on April 18, 2018 after successfully completing U.S. Customs and Border Protection detection Re-Team training. Canine "REMI" was trained to detect the odors of concealed humans, Marijuana, Hashish, Cocaine, Heroin, Methamphetamine, Ecstasy Fentanyl and their derivatives. I and canine "REMI" maintain our annual certification through the Customs and Border Protection regulations. This certification is a comprehensive test designed to measure the ability of the dog and the handler in searching for and indicating the presence of controlled substances. This certification consists of searches administered in different environments with a variety of distractions and is designed to duplicate actual field conditions which may be encountered by the canine team. Canine "REMI" must pass 16 of the 17 controlled finds (15 active and 2 blinds) with equates to a 94% or greater accuracy.

I and canine "REMI" participate in maintenance training, which is no less than 16 hours per month. Ongoing training includes:

- Training in all areas of interdiction, such as vehicles, boats, schools, currency, parcels and mail, airports, bus and bus depots, storage units, residences, motels, apartments, etc.
- Training on various quantities of controlled substances, ranging from grams to pounds.
- Training on controlled negative (blank) testing, in which all objects or locations have no contraband present
- Conflict training, which proofs the dog and prevents her from alerting to common items associated with controlled substances, such as plastic bags, etc. and/or reward objects or toys

CBP maintains training records of the on-going training. All training records and certifications are constantly maintained and up to date and current.



The dogs are given a rating at each training day that is maintained for 90 days.

The ratings for each training day are based on unsatisfactory, poor, fair, average, good or excellent performance. Canine "REMI" has maintained a rating of "Good" over the last 90 days. Canine "REMI" is trained with a passive response/indication (sit or lay down), with various objects (toys) being her reward. Canine "REMI" last certification was June 02, 2021.

On July 15, 2021, at approximately 10:00 AM, CBPO K-9 Johnson and K-9 "REMI" (170178) cleared a large warehouse and determined it to be clear of the odor of narcotics. The subject parcel was then hidden inside the large warehouse, outside of the view of Officer Johnson and K-9 "REMI". Officer Johnson systematically applied K-9 "REMI" starting with the periphery of the warehouse. Upon approaching the suspect parcel, K-9 "REMI" stopped and took several deep breaths and sat at approximately 10:10 AM. When "REMI" sits, it's an indication that she detects the odor of narcotics coming from the parcel. "REMI" alerted to the following suspect parcel:

US Postage Paid Tracking Number: R2303S103062-5

Shipped From: Austin, TX 78704  
July 14, 21  
Amount \$79.55

Sending To Zip Code: 98444

In the upper right hand corner of the damaged label is the name "Nevaeh" along with "5302" and "ATX"

I have been a Canine Officer since October 2008.

I certify under penalty of perjury under the laws of the State of Washington that that the foregoing is true and correct to the best of my knowledge.

Signed  Date 21 July 2021

Kristina M. Johnson  
Canine Enforcement Officer  
U.S. Customs and Border Protection  
Seattle, WA  
(206) 396-1864 (cell)